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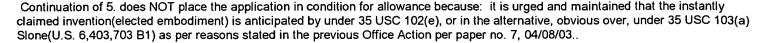


UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Viginia 22313-1450 www.mpto.gov

APPLICATION NO.	FILING D	ATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,170	10/22/20	001	Ralph Craig Even	A01087B	9801
75	i90 0	07/02/2003			
Ronald D. Bakule				EXAMI	XAMINER
Rohm and Haas Company 100 Indepence Mall West Philadelphia, PA 19106				REDDICK,	MARIE L
			ART UNIT	PAPER NUMBER	
			1713		
			DATE MAILED: 07/02/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Advisory Action	10/040,170	EVEN, RALPH CRAIG
·	Examiner	Art Unit
	Judy M. Reddick	1713
The MAILING DATE of this communication appe	ars on the cover sheet with the c	correspondence address
THE REPLY FILED 12 June 2003 FAILS TO PLACE THE Therefore, further action by the applicant is required to a final rejection under 37 CFR 1.113 may only be either: (1 condition for allowance; (2) a timely filed Notice of Appears Examination (RCE) in compliance with 37 CFR 1.114.	void abandonment of this applic) a timely filed amendment whi	cation. A proper reply to a ch places the application in
PERIOD FOR RE	PLY [check either a) or b)]	
a) The period for reply expires 3 months from the mailing date of b) The period for reply expires on: (1) the mailing date of this Adv event, however, will the statutory period for reply expire later the ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f).	isory Action, or (2) the date set forth in th an SIX MONTHS from the mailing date o FILED WITHIN TWO MONTHS OF THI	f the final rejection. E FINAL REJECTION. See MPEP
Extensions of time may be obtained under 37 CFR 1.136(a). The dath nave been filed is the date for purposes of determining the period of extens 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened (b) above, if checked. Any reply received by the Office later than three most partner adjustment. See 37 CFR 1.704(b).	sion and the corresponding amount of the statutory period for reply originally set in	fee. The appropriate extension fee under the final Office action; or (2) as set forth in
 A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFI 	-	
2. The proposed amendment(s) will not be entered be	ecause:	
(a) \(\square\) they raise new issues that would require further	er consideration and/or search (see NOTE below);
(b) they raise the issue of new matter (see Note b	pelow);	
(c) they are not deemed to place the application i issues for appeal; and/or	n better form for appeal by mat	erially reducing or simplifying the
(d) they present additional claims without cancel	ing a corresponding number of	finally rejected claims.
NOTE:		•
3. Applicant's reply has overcome the following reject	tion(s):	
 Newly proposed or amended claim(s) would canceling the non-allowable claim(s). 	be allowable if submitted in a s	eparate, timely filed amendment
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request fo application in condition for allowance because: See		sidered but does NOT place the
6. The affidavit or exhibit will NOT be considered becaused by the Examiner in the final rejection.	cause it is not directed SOLELY	to issues which were newly
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we		
The status of the claim(s) is (or will be) as follows:		
Claim(s) allowed: NONE.		
Claim(s) objected to: NONE.		
Claim(s) rejected: 1,2 and 4-8.		
Claim(s) withdrawn from consideration: 9-12.		
8. The proposed drawing correction filed on is	a) ☐ approved or b) ☐ disapp	proved by the Examiner.
9. Note the attached Information Disclosure Stateme	nt(s)(PTO-1449) Paper No(s).	.
10.⊠ Other: See Continuation Sheet		
		Judy M. Reddick Primary Examiner Art Unit: 1713



Continuation of 10. Other: The Declaration under 37 CFR 1.132 filed 06/12/03 has not been considered as per it not having been timely filed. However, upon a cursory review of the declaration, such is too inconclusive to determine if it would have been sufficient to disqualify Slone as prior art under 35 U.S.C. 103(a) based on 102(e) since the Declaration appears to be predicated on belief rather than on actual facts. In any event, even if the Examiner has somehow missed the boat and this, in fact, is not the case, such would have been sufficient only to remove the 103(a) portion of the rejection. As to the 102(e) portion, it is not seen that the aqueous acrylic emulsion polymer product of Slone is any different from the aqueous acrylic emulsion polymer product of the claimed invention as provided for under the guise of In re Thorpe(227 USPQ 964).